

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

JULIUS PINKSTON,)
)
Movant,)
)
v.) Case No. CV614-075
) CR606-026
UNITED STATES OF AMERICA,)
)
Respondent.)

REPORT AND RECOMMENDATION

Julius Pinkston has filed a *second* 28 U.S.C. § 2255 motion to vacate, set aside, or correct his federal prison sentence. CR606-026 doc. 1533. It is untimely for the same reasons set forth in the Court's July 16, 2014 Report and Recommendation advising dismissal of his first § 2255 motion. Doc. 1531. Applying the Certificate of Appealability ("COA") standards, the Court discerns no COA-worthy issues at this stage of the litigation, so no COA should issue. 28 U.S.C. § 2253(c)(1). And, as there are no non-frivolous issues to raise on appeal, an appeal would not be taken in

good faith. Thus, *in forma pauperis* status on appeal should likewise be **DENIED**. 28 U.S.C. § 1915(a)(3).

SO REPORTED AND RECOMMENDED this 22nd day of July, 2014.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA